

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned  
 OTHER MINOR OFFENSE MO ☐ 8510  
 OTHER MISDEMEANOR Mis ☐ Disp./Sentence  
 FELONY Fel ☒ 1085/4 8-3-76

vs. BENNETT, JAMES RUSSELL(Bond)  
 4320 N. Mingo Rd., Apt. 1(20)  
 Tulsa 74115 835-9650  
 (LAST, FIRST, MIDDLE)

Case Filed  
 Mo. Day  
 06 25  
 No. of Def's  
 \* 1

76-CR-86 - 1

Yr. Docket No. Def.

U.S. TITLE/SECTION

18: 1702

OFFENSES CHARGED

embezzling mail  
 (\$2,000 and/or 5 yrs)

ORIGINAL COUNTS

1

U.S. MAG.  
 CASE NO.

BAIL • RELEASE

☐ AMT ☐ Fugitive  
 Denied Set ☒ Pers. Recog.  
☐ PSA

\$ 1 000 conditions

Date 6-25-76

☐ 10% Deposit

☐ Surety Bond

☐ Collateral

☐ 3rd Prty Cust Other

☐ Status Changed (See Docket)

## II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
U.S. Custody Began 6-29-76	High Risk Date 6-25-76	7-2-76	Trial Set For Voor Dire	Disposition of Charges 8-3-76
Summons Served	Information <input type="checkbox"/>	1st Plea 11	Trial Began	<input checked="" type="checkbox"/> Convicted
First Appearance	Indict. Waived <input type="checkbox"/>	Final Plea	Trial Ended	<input type="checkbox"/> Acquired
	In Charging District			<input type="checkbox"/> Dismissed
	Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>			<input type="checkbox"/> On Governm'ts Motion
				<input type="checkbox"/> WOP: <input type="checkbox"/> WP
				<input type="checkbox"/> On Lesser * Offense(s)

## MAGISTRATE

Search Warrant	Issued	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
Summons	Issued			PRELIMINARY EXAMINATION OR REMOVAL HEARING		<input type="checkbox"/> DISMISSED
Arrest Warrant Issued	Served			<input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
COMPLAINT				<input type="checkbox"/> INTERVENING INDICTMENT		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW
OFFENSE (In Complaint)				Tape Number		

U.S. Attorney or Asst.

Hubert H. Bryant

*George Carrasquillo*

## ATTORNEYS

Defense: ☒ CJA, ☐ Ret: ☐ Waived, ☐ Self, ☐ None / Other: ☐ PD, ☐ CD

Joel Wohlgemuth 583-7571  
 Philtower Bldg.  
 Tulsa 74103

\* Show last names and suffix numbers of other defendants on same indictment/information:

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
6-25-76		Record vote of grand jury, filed in open court. rm	
6-25		Indictment, filed in open court. rm	
6-25		Warrant for arrest of def. issued. rm	
6-28		AO Form 257, filed. rm	
6-29		MO: Case set for arr. & plea 7-2-76 at 9:30 a.m.; deft. given 10 days to file any & all motions; govt. 5 days thereafter to respond. (HDC-J)hm (notice mailed)	
6-30		Magistrate's papers, filed, including information sheet, waiver of counsel, financial affid. & apptmt of counsel. hm	
6-30		Appearance bond in the amt. of \$1,000 personal, filed. hm	
6-30		Order specifying methods and conditions of release, filed. hm	
7-2		Case called for arr. & plea. Deft. present & rep.; govt. rep. Deft. acknowledges receipt of indictment, is arraigned & enters plea of GUILTY. Deft. waives jury, jury waiver signed and filed in open court. Indictment read. Deft. sworn and advised of possibility sentence would be imposed under YCA. Deft. adjudged GUILTY as charged. Sentence set 8-3-76 at 1:30 p.m. & deft. allowed to stand on present bond. (HDC-J)hm	

DATE	76-CR-86 (BENNETT) IV. PROCEEDINGS (continued) (DOCUMENT NO.)	PAGE TWO	V. EXCLUDABLE DELAY			
			Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)
7-8-76	W/Arrest, ret. & filed: deft. arrested 6-29-76. g					
8-3	Case called for sentence. Deft. present & rep.; govt. rep. Deft. & counsel asked if they care to say anything before sentence is pronounced. Judgment & Sentence - JAMES RUSSELL BENNETT (20) Imp. of sentence is hereby suspended and the deft. is placed on probation for a period of Three (3) Years from this date, under the Federal YCA, purs.to T. 18, U.S.C., Sec. 5010(a).					
8-3	Judgment and order of probation, filed and entered. (HDC-J)hm					
8-3	Two c/c delivered to U.S. Prob. office. hm					
2-13-78	Request from probation officer that warrant for arrest of probationer be issued w/order granting same. (HDC-J)ph					
2-13	Warrant for arrest of probationer issued. ph					
2-14	Waiver of prel. hrg. before U.S. Mag., filed. hm					
2-15	MO: CASE SET FOR REVOCATION OF PROBATION HEARING AT 9:00 A.M., FEB. 21, 1978. (HDC-J)hm (notices mailed)					
2-21	MO: Case called for hrg. on revocation of probation. Deft. present & rep.; govt. rep. Report made by probation officer, Jerry Baines. Deft. admits he has violated conditions of probation. Deft's witness sworn & testifies: James Russell Bennett. Based on test. & statements of counsel, Court finds that deft. has violated conditions of probation & revokes probation heretofore imposed. Court proceeds to impose sentence. Deft. & counsel asked if they care to say anything before sent. is pronounced. Court finds that the deft. was 20 yrs. old at time of conviction, but that he would not derive benefit from being sentenced under YCA. Judgment and Sentence - JAMES RUSSELL BENNETT (22) Atty. Gen. - Eighteen (18) Months IT IS RECOMMENDED that the deft. be sentenced to an institution that has the proper facilities to treat the deft. for his drug problems and associated psychiatric problems. (HDC-J)hm					
2-21	Order revoking probation, filed and entered. (HDC-J)hm					
2-21	Two c/c of above order delivered to U.S. Marshal. hm					
3-21	Warrant for arrest of probationer, ret & filed: Executed by arresting James Russell Bennett in Tulsa, OK on 2-14-78. ph					
5-10-78	USM service of Order Revoking Probation, ret. & filed: deft. Bennett delivered to FCI, El Reno, Ok. on 3-17-78, and to FCT, Ft. Worth, Tx. on 4-30-78. g					

For Identifying  
Periods of Exclud-  
able Delay Per 18  
U.S.C. 3161(h)A. Examination or  
hearing for  
mental or  
physical in-  
capacity (18  
U.S.C. 4244).B. NARA Exami-  
nation (28  
U.S.C. 2902).C. State or Federal  
trials on other  
charges.D. Interlocutory  
Appeals.E. Hearings on  
pretrial motions.F. Transfers from  
other districts  
(per F.R.C.P.  
Rules 20, 21  
& 40).G. Defendant Mo-  
tion is actually  
under advise-  
ment. Period of  
up to 30 days  
is excludable  
per  
3161(h) (1) (G).H. Miscellaneous  
Proceedings:  
Probation or  
Parole revoca-  
tion, Deporta-  
tion,  
Extradition.I. Prosecution de-  
ferred by  
mutual agree-  
ment.M. Unavailability  
of defendant  
or essential  
witness.N. Period of men-  
tal or physical  
incompetence  
of defendant to  
stand trial.O. Period of  
NARA Commit-  
ment or  
Treatment.P. Superseding  
indictment  
and/or new  
charges.R. Defendant  
awaiting trial  
or Co-defen-  
dant when no  
severance has  
been granted.T. Continuances  
Granted per  
3161(h) (8)  
(i.e. ends of  
justice or com-  
plexity of case  
outweighs de-  
fendants'  
interests).U. Time between  
guilty plea and  
plea with-  
drawal.W. Grand Jury in-  
dictment ex-  
tended per  
3161 (b)

## FINE AND RESTITUTION PAYMENTS

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER